

REMARKS

Claims 95-135 are pending in this application. Applicants have canceled claims 136-138 without prejudice or disclaimer. No new matter has been added.

Allowable Subject Matter

Applicants thank the examiner for indicating that claims 95-135 are in condition for allowance.

Interview Summary

Applicants thank the Examiner for conducting a telephonic interview with Applicants' representative on August 13, 2009. During the interview, the pendency of claims 136-138 was discussed.

Withdrawn Objections

Applicants thank the Examiner for withdrawing the previously-raised objections to the claims.

Withdrawn Rejections

Applicants also thank the Examiner for withdrawing the new matter, written description, and enablement rejections that had previously been raised.

35 U.S.C. § 112, First Paragraph, Written Description

The Office rejects claims 136-138 as allegedly failing to satisfy the written description requirement (Office Action at pages 3-6).

Applicants disagree with the Office's position. However, in the interest of expediting prosecution, claims 136-138 have been canceled, obviating the rejection. Withdrawal of this rejection is respectfully requested.

35 U.S.C. § 112, First Paragraph, Enablement

At pages 7-14 of the Office Action, the Office rejects claims 136-138 as allegedly lacking enablement.

Applicants do not agree with the Office's position, but in the interest of expediting prosecution, claims 136-138 have been canceled. Applicants respectfully request that this rejection be withdrawn.

Non-Statutory Double Patenting

The Office at pages 14-15 of the Office Action has provisionally rejected claims 136 and 138 on the ground of non-statutory obviousness-type double patenting over claim 35 of co-pending U.S. App. No. 10/741,861.

Claims 136 and 138 have been canceled, obviating the rejection with respect to these claims. Withdrawal of the rejection is respectfully requested.

CONCLUSION

Applicants respectfully submit that all claims are in condition for allowance in light of the amendments and arguments presented herein. Applicants do not concede any positions of the Examiner that are not expressly addressed above, nor do Applicants concede that there are not other good reasons for patentability of the presented claims or other claims.

Applicant : Shenoy et al.  
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Page : 11 of 11

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If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. Please charge any deficiency to Deposit Account No. 50/2762.

Respectfully submitted,

By: /Natalie A. Lissy/  
Natalie A. Lissy, Reg. No. 59,651  
LANDO & ANASTASI, LLP  
One Main Street  
Cambridge, Massachusetts 02142  
United States of America  
Telephone: 617-395-7000  
Facsimile: 617-395-7070

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